

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bong-soo HUR et al.

Application No.: 10/812,966

Confirmation No.: 4874

Filed : March 31, 2004

Group Art Unit: 2624

Customer No. : 38209

Examiner: Ali Bayat

For: PIXEL-DATA SELECTION DEVICE TO PROVIDE MOTION COMPENSATION,
AND A METHOD THEREOF

Mail Stop Issue Fee
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 1.104**

Sir:

The Examiner provided a Statement of Reason for Allowance in the Notice of Allowance and Fee Due, mailed October 2, 2007, in which the Examiner indicated that claims 1-25 are allowed.

As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is respectfully submitted that the Examiner's Statement is not an accurate quote with respect to each of the allowed claims, and instead, raises "possible misinterpretations, and possible estoppel effects" (MPEP 1302.04) and accordingly, should be disregarded.

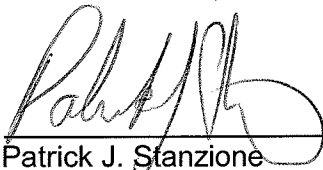
The Examiner's statement appears to unnecessarily limit the claims to, for example, stating that the prior art by Kim "fail to teach or suggest for a storage unit to store a current frame/field including first pixel-data corresponding to at least one of candidate vectors as inputted, and a previous frame/field including second pixel-data corresponding to the at least one of the candidate motion vectors; a pixel-data extraction unit to extract the first and the

second pixel-data which respectively correspond to the at least one of candidate motion vectors, respectively, from the storage unit; and a compensation pixel calculation unit to calculate first and second compensation pixel-data, respectively, for motion compensation, by adaptively applying a predetermined first weight according to the first and the second pixel-data, wherein the calculated first and second compensation pixel-data are used for the motion compensation of current block to be interpolated.” All of the claims are not constricted to the language the at the Examiner places of record. While being useful in understanding the invention, the Examiner’s comments could lead to an unwarranted and unnecessary narrowing interpretation of the claims. Therefore, it is further submitted that the claims should not be interpreted based on the Examiner’s statement.

It is further submitted that the claims are not constrained by such device limitations and that the claims speaks for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

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